

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MINNESOTA

UNITED STATES OF AMERICA,                         )  
  )  
Plaintiff,    )      Case No. 17-cv-136 (PAM/FLN)  
  )  
v.    )  
  )  
  )  
KLEINBANK,    )  
  )  
Defendant.    )  
  )  
\_\_\_\_\_

**JOINT REQUEST FOR EXTENSION OF**  
**BRIEFING DEADLINES ON**  
**OBJECTIONS TO MAGISTRATE JUDGE NOEL'S**  
**REPORT AND RECOMMENDATION**

Pursuant to Fed. R. Civ. P. 6(b)(1)(A), the Plaintiff, United States, and the Defendant, KleinBank (together, the “parties”), respectfully request that the Court extend, for good cause, certain deadlines in relation to Defendant KleinBank’s planned objections to Magistrate Judge Noel’s Report & Recommendation, ECF No. 51, for the reasons set forth herein:

1.       On January 30, 2018, Magistrate Judge Noel issued a Report and Recommendation to deny KleinBank’s motion to dismiss. *See R. & R.*, ECF No. 51.
2.       Pursuant to Local Rule 72(b) and Federal Rule of Civil Procedure 72(b)(2), KleinBank’s objections to the Report and Recommendation would ordinarily be due on February 13, 2018 and the United States’ response thereto would be due on February 27, 2018.

3. The parties have conferred and agreed upon an extended briefing schedule. The parties have agreed that KleinBank's deadline for filing its objections to the Report and Recommendation shall be 28 days after the filing of the Report and Recommendation; and that the United States' deadline for responding to KleinBank's objections shall be 28 days thereafter. This extension of briefing deadlines gives both parties a 14-day extension to file their briefs.

4. Federal Rule of Civil Procedure 6(b)(1) provides that “[w]hen an act may or must be done within a specified time, the court may, for good cause, extend the time: (A) with or without motion or notice if the court acts, or if a request is made, before the original time or its extension expires.” Fed. R. Civ. P. 6(b)(1)(A). Thus, because this request is made prior to February 13, 2018, the date on which KleinBank's objections would be due without an extension, the request is timely made.

5. Good cause exists for the requested extensions. The United States requires additional time to allow for review by leadership of the Department.

For the foregoing reasons, the parties respectfully request that the Court extend the briefing schedule on KleinBank's objections to Magistrate Judge Noel's Report and Recommendation, granting KleinBank an extension of time to file its objections and granting the United States an extension of time to respond thereto.

Dated: February 9, 2018

Respectfully submitted,

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